

**CLARK COUNTY BOARD OF COMMISSIONERS AND
CLARK COUNTY WATER RECLAMATION DISTRICT
BOARD OF TRUSTEES
AGENDA ITEM**

Issue:	Resolution Supporting Development of in-State Water Resources	Back-up:
Petitioner:	Thom Reilly, County Manager and Chuck Ethridge, Acting General Manager, Clark County Water Reclamation District	Clerk Ref. #
Recommendation:		
<p>That the Board of County Commissioners and the Clark County Water Reclamation District Board of Trustees adopt the resolution of the Southern Nevada Water Authority (SNWA) in support of the development of in-state water resources. (<i>Board of County Commissioners also sitting as the Clark County Water Reclamation District Board of Trustees.</i>)</p>		

FISCAL IMPACT:

None by this action.

BACKGROUND:

In 1991, the Southern Nevada Water Authority (SNWA) was established to address water issues on a regional basis, rather than an individual purveyor basis. The Water Authority is committed to managing the region's water resources and developing solutions that will ensure adequate future water supplies for Southern Nevada. With the onset of the drought period in 2000, SNWA has researched the development of water resources from non-Colorado River sources.

Studies have identified water resources within the State of Nevada, including substantial quantities of unappropriated and unused water that would potentially provide more than 200,000 acre-feet of additional water per year for Southern Nevada, thereby reducing the dependence upon the Colorado River.

This resolution is submitted for consideration by all member agencies of the Southern Nevada Water Authority and has been reviewed and approved by the District Attorney's Office as to form.

Prepared by,
Marty Flynn

ADOPTED AS RECOMMENDED

Respectfully submitted,

Cleared for Agenda



THOM REILLY
County Manager

10/18/05 *SM*

CE:MF

Agenda Item #	78
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RESOLUTION OF THE
SOUTHERN NEVADA WATER AUTHORITY,
BIG BEND WATER DISTRICT, CITY OF BOULDER CITY,
CITY OF HENDERSON, CITY OF LAS VEGAS,
CITY OF NORTH LAS VEGAS, CLARK COUNTY,
CLARK COUNTY WATER RECLAMATION DISTRICT,
AND LAS VEGAS VALLEY WATER DISTRICT SUPPORTING THE
DEVELOPMENT OF IN-STATE, NON-COLORADO RIVER WATER
RESOURCES IDENTIFIED IN THE WATER RESOURCE PORTFOLIO OF
THE SOUTHERN NEVADA WATER AUTHORITY

WHEREAS, Nevada is the most arid state in the nation, receiving an average of only nine inches of precipitation each year, with only 4.3 inches per year in Southern Nevada; and

WHEREAS, the state's immense size, in combination with its small amount of water resources relative to other western states, means that water supplies are often far removed from the places where water is needed, whether for agriculture, mining, municipal or other uses; and

WHEREAS, in order to allocate its scarce water supplies among the diverse and competing needs of its population, while balancing individual rights with the state's obligation to protect larger public interests, Nevada adopted a policy in 1913 that water belongs to the public, with water allocations administered by the state according to the doctrine of prior appropriation, otherwise known as "first in time, first in right," consistent with beneficial uses approved by the state; and

WHEREAS, the ability to move water, whether by interbasin transfers or other means, is a critical and long-standing component in Nevada's approach to water allocation, which has been highly efficient and effective in meeting the state's diverse water needs for more than a century; and

WHEREAS, many Nevada communities, including Carson City, Virginia City, Wendover, Tonopah, Fernley, Lovelock, Fallon and Eureka, as well as Nevada's mining and agricultural industries, would not exist in whole or part today without access to water transfers; and

WHEREAS, maintaining a vibrant economy in Clark County is important not only to the county's residents and businesses, but also to the rest of Nevada; and

WHEREAS, the acquisition, development and sustainable use of additional water supplies is of critical importance to the public welfare of the citizens of the Las Vegas Valley and to the continued economic prosperity of Clark County; and

WHEREAS, since 1991, the Southern Nevada Water Authority (SNWA) and its member agencies have cooperated in the preparation of a regional water resource portfolio that includes

an assortment of water supply options, both surface water and groundwater, which can meet the water needs of the greater Las Vegas Valley for the foreseeable future; and

WHEREAS, since 1995, supply options within this portfolio have been implemented consistent with public direction that emphasized the phased development of Colorado River resources first, followed by the phased development of other supplies as needed, all in a manner that will maximize overall system reliability and water quality, encourage and enforce strong conservation, and minimize infrastructure costs; and

WHEREAS, in 2000, the Colorado River Basin entered a period of drought that is still ongoing and is considered one of the worst on record, the severity of which has underscored the need to offset southern Nevada's current reliance on Colorado River water with additional non-Colorado River water supplies, providing a more drought-tolerant supply-and-delivery system; and

WHEREAS, in 2004, this need for greater drought tolerance, coupled with projected increases in future regional water demands, led the SNWA to begin implementation of three separate, in-state water resource projects that will make available several in-state, non-Colorado River water supplies identified in the SNWA water resource portfolio; and

WHEREAS, existing studies suggest that substantial quantities of unappropriated and unused water are available from these in-state resource projects for development in conjunction with monitoring and management plans designed to ensure that senior water rights are protected and that impacts to the environment are minimized; and

WHEREAS, completion of all three in-state water resource projects has the potential to provide more than 200,000 acre-feet of additional water each year to southern Nevada, thereby substantially reducing the region's dependence on Colorado River water; and

WHEREAS, implementation of these in-state water resource projects is critical to the future of the state, both in terms of the drought protection and additional water supply that will be provided to southern Nevada and in terms of Nevada's credibility in negotiating for additional flexibility on Colorado River supplies with the other six states in the Colorado River Basin; and

WHEREAS, the SNWA and its member agencies have an established record of developing and using water resources in a manner that is highly sensitive to environmental concerns, ensures protection of the resources well into the future, and addresses the needs and concerns of relevant stakeholders;

NOW, THEREFORE, BE IT RESOLVED THAT THE PARTIES TO THIS RESOLUTION DO DECLARE THAT:

1. We fully support the ongoing efforts to develop existing in-state, non-Colorado River water rights and water applications within the SNWA water resource portfolio, including the development of groundwater in Clark, Lincoln and White Pine Counties and surface water from the Virgin and Muddy Rivers.

2. We will develop and use in-state, non-Colorado River water resources in a manner that meets southern Nevada's need for future drought tolerance and additional water supplies, while remaining highly responsive to environmental concerns such as the protection of endangered species, consistent with federal, state and local policies such as the Clark County Multi-Species Habitat Conservation Plan.
3. We will develop and use in-state, non-Colorado River water resources only in a manner that ensures the sustainability of these resources into the future, and preserves current and future socioeconomic opportunities for the areas of origin.
4. While developing and using in-state, non-Colorado River water resources, we will continue to pursue future opportunities for additional Colorado River water, whenever available, as well as opportunities for increased water conservation within the Las Vegas Valley.
5. We recognize the unique nature and vital importance of other counties within the state, particularly those in eastern and central Nevada, and the need to preserve and protect their valuable contributions to the state, as well as the lifestyles that they provide to their residents.
6. We understand and respect the role of the many federal agencies involved, and hereby encourage federal agencies to fairly and expeditiously process the SNWA request for rights-of-ways and environmental approvals, consistent with all applicable statutory and regulatory requirements.
7. We understand and respect the role of the State of Nevada, and hereby encourage the Nevada Division of Water Resources to fairly and expeditiously process all outstanding SNWA applications for water rights within the basins of interest, in a manner consistent with Nevada's laws of prior appropriation and beneficial use.
8. We hereby request support from the Governor and Legislature in encouraging White Pine County to hold meetings with SNWA in an effort to resolve water issues of interest.
9. The General Manager of the SNWA is directed to prepare and transmit copies of this resolution to Governor Kenny C. Guinn; the Nevada Legislature; and the Lincoln, Nye and White Pine county commissions.

PASSED, ADOPTED and APPROVED this ___th day of ____, 2005.

RESOLUTION OF SUPPORT FOR THE SOUTHERN NEVADA WATER AUTHORITY'S DEVELOPMENT OF IN-STATE, NON-COLORADO RIVER WATER RESOURCES

This resolution:

- Demonstrates Southern Nevada's support for the development of in-state water resource projects.
 - The Three Lakes Valley Groundwater Development Project,
 - The Virgin and Muddy Rivers Surface Water Development Project; and
 - The Clark, Lincoln and White Pine Counties Groundwater Development Project
- Highlights Southern Nevada's commitment to develop and use in-state resources, while remaining highly responsive to environmental concerns.
- Underscores the region's commitment to other Nevada counties.
- Encourages the Nevada Division of Water Resources to move forward expeditiously and in accordance with Nevada Water Law with all outstanding SNWA applications.

Development of these unused, available, in-state resources is crucial for the entire state of Nevada.

- They will allow for the increased flexibility needed to accommodate changing conditions such as future droughts.
 - Drought has had a significant impact on available Colorado River supplies
 - Southern Nevada currently depends on the Colorado River to meet 90 percent of its resource needs
 - Development of in-state groundwater resources will help Southern Nevada reduce its dependency on the Colorado River
- They will ensure the availability of future water supplies.
 - Near-term demands in Southern Nevada cannot be met without these unused, in-state groundwater resources.
 - Other resource options such as desalination or similar types of transfers/exchanges will not be available within the planning horizon.
 - Conservation and other resource options don't solve the need for greater drought tolerance.
 - To the extent Colorado River water remains a key supply, Nevada will be in a better position to negotiate for more flexibility on the river once it demonstrates a good-faith effort to develop its own in-state water resources first.

- They will maintain the economic integrity of Nevada as a whole.
 - For several decades, Southern Nevada has been one of the fastest growing areas in the nation.
 - Over 70% of the Nevada population now lives in Southern Nevada.
 - The Southern Nevada region accounts for over 70% of the state's assessed valuation.
 - Approximately one-third of state and local budget revenues comes from the Retail Sales and Use tax – 20% of which is derived from the construction industry in Southern Nevada.
 - Over 860,000¹ jobs depend on the continued health of Southern Nevada's economy.
 - Studies indicate that Southern Nevada's multi-billion-dollar economy will suffer significant negative impacts if a growth interruption occurs in Southern Nevada.
 - Clark County is the economic engine of Nevada. A severe economic downturn in Southern Nevada would translate into lost revenues at the local and state levels, which would negatively affect fiscal balances and significantly impact social service programs.

- They will give Nevada additional credibility in negotiating with the other six Colorado River Basin states for additional flexibility with Colorado River water supplies.
 - It is true that the SNWA has already been very successful in negotiating groundbreaking agreements with other Colorado River basin states such as Arizona and California.
 - However, for future negotiations to occur, the states have made it clear that in order to acquire additional Colorado River resources in the future, Nevada must demonstrate a good-faith effort to develop its available, unused in-state resources.
 - If in-state water supplies are tested and found to be insufficient to meet demands, Nevada would be in a better position to negotiate for more flexibility on the Colorado River.

Timeline:

- This resolution will be brought before each identified agency's board or council for approval in October.
 - Big Bend Water District
 - City of Boulder City
 - City of Henderson
 - City of Las Vegas
 - City of North Las Vegas
 - Clark County
 - Clark County Water Reclamation District
 - Las Vegas Valley Water District
 - Southern Nevada Water Authority

¹ Center for Business and Economic Research, University of Nevada, Las Vegas

Conservation and drought response:

Many point to conservation as the solution to Southern Nevada's water resource needs. Through drought restrictions, turf conversions and an increasingly water-smart ethos that is reflected in the behaviors of every sector, Southern Nevada has demonstrated its commitment to responsible water use. Examples include:

- SNWA Water Smart Landscapes Program:
 - Rebates \$1 per square foot of grass removed.
 - The SNWA has spent over \$47 million for conversions since 1999.
 - Since the program's inception, the community has removed more than 64 million square feet of turf, saving over 3.5 billion gallons of water annually.
- Golf Courses:
 - In 2004 alone, golf courses removed over 7.7 million square feet of turf.
 - Between 2003 and 2004, golf courses experienced a 9.6 percent reduction in water use.
- Resorts:
 - In 2004, 5 major resorts participated in the SNWA's Water Efficient Technology program, saving more than 79 million gallons of water annually.
 - In addition, 16 major resorts participated in the Water Smart Landscapes Program and removed enough turf to save more than 18 million gallons of water annually.
- GPCD:
 - Since 2002, the community has reduced its gallons-per-capita-per-day by 15.4%.

However, conservation alone cannot solve Southern Nevada's need for greater drought tolerance, nor is conservation predictable enough to guarantee the community's ability to meet projected future demands. Only the development of in-state water resources can provide this level of certainty and drought tolerance.